

REMARKS

The Examiner has rejected claims 1 and 42 (the latter being withdrawn from consideration) under 35 USC §112, second paragraph based on the use of the term “auto discovery analysis”. Upon review of claims 1 and 42, applicants respectfully disagree with the Examiner that the claims recite “auto discovery analysis”. Applicants therefore respectfully request reconsideration and that this rejection be withdrawn on the basis that no such term exists in the identified claims. Claims 1-42 remain in the application. Claims 1 and 16 are currently amended.

The Examiner has rejected claims 1-30 as being anticipated by Elston et al. (US Publication No. 2002/0143655). Again the rejection is traversed and reconsideration is requested.

In accordance with an aspect of the present invention, there is provided an electronic transaction system 10 as, for example, illustrated in Figure 1 of the drawings having a host server 12 comprising an electronic inventory 44 used to store electronic goods (see page 4, paragraph [0083] and page 5, paragraph [0104] of the published specification). A transaction device 14 of the electronic transaction system 10 comprises a transaction application (see page 5, paragraph [0113]). The transaction application downloads content from a content management system 22 of the electronic transaction system 10. The downloaded content is used by the transaction application to generate a user interface through which a customer interacts to purchase an electronic service or good (see page 5, paragraph [122]).

This is an important aspect-the content is managed centrally and distributed (via the content management system 22 in the embodiment described) to client devices (such as the transaction device 14) and used locally therein (by the transaction application) to control processing. In this manner, systems according to the present invention support client side processing without the need for server interaction (such as menu presentation, product selection, and product price, for example). Furthermore, it means that the transaction application does not change when a new electronic service or good is to be added - overcoming the need for the transaction application to be recertified in such circumstances (see page 5, paragraph [123]).

In an embodiment of the invention, upon receipt of a generated request for an electronic good, the electronic inventory 44 (of the host server 12) operates to issue the electronic good to the transaction device 14 (see page 9, paragraphs [0202 – 0204]).

In this manner, systems according to the present invention advantageously provide for real time order fulfillment whereby a user requests an electronic good/service via the transaction device 14 and receives it, with only one action or stage required to be completed by the user (the request). This event occurs in one location in that ordering and receiving the goods happens in one place. No additional action is required by the user, such as traveling to another location to collect the requested good, for example.

Applicants submit that Elston fails to disclose or teach at least the above discussed aspects of the invention and claim 1 as proposed to be amended.

Elston discloses a remote ordering system allowing a customer to remotely place an order for physical goods (not electronic goods or services), and to subsequently collect the ordered physical goods at a customer-nominated (affiliated merchant) location.

The system disclosed in Elston is a two stage process in that the order must be placed remotely and the order fulfillment is a separate (and time-disparate) activity (see page I, paragraphs [0006] and [0016] of Elston). Elston teaches that it is advantageous to require a customer to travel to a specific location for order fulfillment. This is counter to the claimed subject matter, in which the user is not required to travel to a specific location for order fulfillment.

Furthermore, Elston discloses a system which is synchronized to merchant systems (see page 2, paragraphs [0019] and [0028] of Elston), and prescribes host side (remote from the client) processing (see page 4, paragraphs [0081], [0094], and [0095] and page 6, paragraphs [0120], [0132] and [0133] of Elston), thereby relying on data from the server side. Not only does this teach away from the solution of the presently claimed subject matter of claim 1, namely client side processing without the need for server interaction, it can also suffer from the following problems: time outs on the server side, resulting in extended ordering time; extra costs on the server side for the merchant operators to account for extra data flow; and delayed response for user interactions.

In addition to providing the advantages described previously, the present claimed subject matter also overcomes these problems of the prior art system of Elston.

Accordingly, since Elston fails to disclose or teach at least the features of claim 1 as proposed to be amended and the associated advantages, applicants respectfully request the Examiner withdraw the rejection to claim 1. The rejections to any of the dependent claims should also be withdrawn at least by virtue of their depending on claim 1.

If a telephone conference will expedite prosecution of the application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,
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